

Date signed February 28, 2007



Paul Mannes

PAUL MANNES

**UNITED STATES BANKRUPTCY COURT U. S. BANKRUPTCY JUDGE
FOR THE DISTRICT OF MARYLAND
at Greenbelt**

IN RE:

ALFRED LUIS REHDER

Debtor

Case No. 06-10744PM
Chapter 7

JOHN T. BELL, ESQ.
BELL, ROSE & CORDIER, P.A.
a/k/a BELL, REHDER & ROSE
Plaintiff

vs.

ALFRED LUIS REHDER
STEVEN H. GREENFELD, TRUSTEE
Defendants

Adversary No. 06-1406PM

ALFRED LUIS REHDER
Counter-Claimant

vs.

JOHN T. BELL
BELL, ROSE & CORDIER, P.A.
Counter-Defendant

MEMORANDUM OF DECISION

On February 22, 2007, this court passed an Order disposing of the Complaint filed in this adversary proceeding. The Order provided that the obligation of the Restitution Order entered by the Circuit Court for Montgomery County, Maryland, was not discharged by the Debtor's discharge entered May 23, 2006. This Memorandum deals with the First Amended Counterclaim filed by the Defendant that seeks a declaratory judgment as to the existence of any obligation owed directly to the Plaintiff.

Based on the record before it, the court notes as follows. The obligation of the Debtor relating to this adversary proceeding that survived his discharge is the Restitution Order described above. Any debt owed by the Debtor directly to the Plaintiff has been discharged and is no longer an enforceable obligation, although nothing prevents the Debtor, should he elect to do so, from voluntarily repaying it or any other discharged debt. 11 U.S.C. § 523(f).

The judgment entered in the Circuit Court for Montgomery County, Maryland, on September 15, 2006, in Case No. 93269-C, was in violation of the discharge injunction of 11 U.S.C. § 524(a)(2) and is avoidable. Counsel for the Defendant/Counter-Claimant shall submit an appropriate order.

cc:

Jeffrey M. Orenstein, Esq., 15245 Shady Grove Road, Suite 465, Rockville, MD 20850
Issa G. Ziadeh, Esq., 4600 North Park Avenue, Suite 101, Chevy Chase, MD 20815
Steven H. Greenfeld, Trustee, 7910 Woodmont Avenue, Suite 760, Bethesda, MD 20814
United States Trustee, 6305 Ivy Lane, #600, Greenbelt MD 20770

End of Memorandum